

Planning and Zoning Commission Regular Meeting

June 1, 2005

1. CALL SESSION TO ORDER

The June 1, 2005, Regular Meeting of the Planning and Zoning Commission was held in the Council Chambers of the City Hall of Round Rock located at 221 East Main Street. With a quorum present, Vice-Chairman Peter Drapes called the meeting to order at 7:03 p.m.

2. ROLL CALL

Present for roll call, along with Vice-Chairman Drapes were Commissioners Sandy Arnold, Russ Boles, Dale Austin, Larry Quick, Ray Thibodaux and David Pavliska. Chairman Kosik and Commissioner Weeks were absent from the meeting. Staff included Jim Stendebach, Director, Planning Department, Bernadette Hayes, Senior Planner, Shannon Burke, Senior Planner, James Hemenes, Park Planner, Alysha Girard, Development Services Manager, and Dianna Hutchens, Administrative Technician.

3. APPROVAL OF THE MAY 18, 2005 REGULAR MEETING MINUTES.

Motion: Commissioner Quick made a motion to approve the May 18, 2005, Special Called Meeting minutes. Commissioner Austin seconded the motion.

Vote: Ayes: David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Peter Drapes. Noes: None; Abstain: None; Absent: Al Kosik and Betty Weeks. The motion carried unanimously.

4. CONSENT AGENDA:

Commissioner Arnold requested that Consent Agenda Items 4.B, 4.E, and 4.G. be removed and discussed at a later time.

4.A. Consider the Old Settlers Center Preliminary Plat, application # 2005-011-PP.

4.C. Consider the Albert Johnson Addition, Final Plat, application # 2005-020-FP.

4.D. Consider the Children's Courtyard, Replat of Lot 1, Block A, Amending Plat, application # 2005-018-FP.

4.F. Consider the Pioneer Crossing Phase 3, Plat Extension, application # 2004-061-FP.

Motion: Commissioner Arnold made a motion to approve Consent Agenda Items 4.A., 4.C., 4.D. and 4.F. Commissioner Thibodaux seconded the motion.

Vote: Ayes: David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Peter Drapes. Noes: None; Abstain: None; Absent: Al Kosik and Betty Weeks. The motion carried unanimously.

4.B. Consider the Palm Creek Center Preliminary Plat, application # 2005-010-PP

Commissioner Arnold asked for an explanation of the difference between Plat Note #4 and #7. Ms. Hayes stated that plat note # 4 was repetitive and Plat Note # 7 was specifically referencing Lot 2. Ms. Girard said Lot 1 will not go forward until the channel improvements are done to bring it into the drainage easement and Lot 2 is dependent not only on the drainage, but also the utility improvements and road improvements. Staff was trying to allow one lot to go ahead of the other and the notes were not clear. She said that the situation would be corrected on the final plat. Commissioner Arnold asked if Ms. Girard was recommending that the Commissioners make a change to the plat notes, or if she was satisfied with the way it was. Mr. Stendebach suggested that it would be clearer if Plat Note #4 stated: Final Plat for Lot 1 shall not be recorded prior to the completion and acceptance of the drainage and utility improvements on A. W. Grimes Blvd. Commissioner Arnold agreed with Mr. Stendebach's suggestion.

Motion: Commissioner Austin made a motion to approve the preliminary plat with the conditions. Commissioner Thibodaux seconded the motion.

Vote: Ayes: David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Peter Drapes. Noes: None; Abstain: None; Absent: Al Kosik and Betty Weeks. The motion carried unanimously.

4.E. Consider the Deepwood Center Section Two, Replat of Lot 3, application # 2005-109-FP.

Commissioner Arnold said she removed the item from the Consent Agenda because she wanted to publicly abstain from the vote.

Motion: Commissioner Boles made a motion to approve the final plat. Commissioner Quick seconded the motion.

Vote: Ayes: David Pavliska, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Peter Drapes. Noes: None; Abstain: Sandy Arnold; Absent: Al Kosik and Betty Weeks.

4.G. Consider the Behrens Ranch Phase D, Section 3, Plat Vacation, application # 2005-001-V.

Commissioner Arnold asked if this was the second time the plat was amended? Ms. Hayes said no, the applicant will at a later time replat and includes more acreage and lots. Commissioner Arnold asked if the lots were going to be smaller. Ms. Hayes said yes. Commissioner Arnold asked if the lots had previously been made smaller. Ms. Hayes said no. The applicant previously came in with a revised preliminary plat last year to address changing the original preliminary plat; the revision was to reconfigure the lots to smaller lot sizes.

Mr. Stendebach noted there was another item on the agenda this evening that will replace the street.

Motion: Commissioner Boles made a motion to approve the plat vacation. Commissioner Quick seconded the motion.

Vote: Ayes: David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Peter Drapes. Noes: None; Abstain: None; Absent: Al Kosik and Betty Weeks. The motion carried unanimously.

5. TABLED ITEMS NOT REQUIRING A PUBLIC HEARING

5.A. Consider the Lisa Rae Drive Subdivision Preliminary Plat, application # 2005-003-PP.

The applicant has requested to table this item to the July 13, 2005 meeting.

5.B. Consider the Joyce Lane Subdivision Preliminary Plat, application # 2005-001-PP.

The applicant has requested to table this item to the July 13, 2005 meeting.

5.C. Consider the Ray Berglund Boulevard Subdivision Preliminary Plat, application # 2005-004-PP.

The applicant has requested to table this item to the July 13, 2005 meeting.

5.D. Consider the Brushy Creek Regional Wastewater Treatment Plant, Final Plat, application # 2004-069-FP.

The applicant has requested to table this item to the July 13, 2005 meeting.

5.E. Consider the Behrens Ranch Phase D, Section 3B, Final Plat, application # 2005-010-FP.

The applicant has requested to table this item to the July 13, 2005 meeting.

5.F. Consider the Behrens Ranch Phase D, Section 5, Final Plat, application # 2005-009-FP.

The applicant has requested to table this item to the July 13, 2005 meeting.

Motion: Commissioner Pavliska made a motion to table Items 5.A., 5.B., 5.C., 5.D., 5.E. and 5.F. until the July 13, 2005 meeting. Commissioner Austin seconded the motion.

Vote: Ayes: David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Peter Drapes. Noes: None; Abstain: None; Absent: Al Kosik and Betty Weeks. The motion carried unanimously.

6. ADDITIONAL PLATS

6.A. Consider the Behrens Ranch Phase D, Section 3A, Right-of-Way Plat, application # 2005-027-FP.

Ms. Hayes presented staff's analysis to the Commissioners noting staff's recommendation of approval.

Mr. Stendebach noted for clarification, that the street shown on the drawing is already on the ground and constructed, which is why it needs to be rededicated.

Motion: Commissioner Boles made a motion to approve the right-of-way plat. Commissioner Arnold seconded the motion.

Vote: Ayes: David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Peter Drapes. Noes: None; Abstain: None; Absent: Al Kosik and Betty Weeks. The motion carried unanimously.

6.B. Consider the CPG Partners Commercial Tract, Section 1, Final Plat, application # 2005-021-FP.

Ms. Hayes presented staff's analysis noting staff's recommendation of approval with the two following conditions:

1. The deed information on the owner's signature block is completed.
2. The notary seal is provided.

Commissioner Austin asked if the Commission would see the plat again once the 13 acres are acquired by the Simon. Ms. Hayes said yes, the replat would be before the

Commissioners once the ownership has changed and the plat will reflect the additional 13 acres.

Motion: Commissioner Pavliska made a motion to approve the final plat with the two conditions noted. Commissioner Thibodaux seconded the motion.

Vote: Ayes: David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Peter Drapes. Noes: None; Abstain: None; Absent: Al Kosik and Betty Weeks. The motion carried unanimously.

6.C. Consider the CPG Partners Commercial Tract, Section 2, Final Plat, application # 2005-022-FP.

Ms. Hayes presented staff's analysis noting staff's recommendation of approval with the two following conditions:

1. The deed information on the owner's signature block is completed.
2. The notary seal is provided.

Commissioner Austin asked when the remainder of the Oakmont Dr. right-of-way will be platted. Mr. Stendebach said the developer has indicated that they will be bringing the plat in on the next submittal.

Motion: Commissioner Boles made a motion to approve the final plat with the two conditions noted. Commissioner Austin seconded the motion.

Vote: Ayes: David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Peter Drapes. Noes: None; Abstain: None; Absent: Al Kosik and Betty Weeks. The motion carried unanimously.

6.D. Consider the CPG Partners Commercial Tract, Section 3, Final Plat, application # 2005-023-FP.

Ms. Hayes presented staff's analysis noting staff's recommendation of approval with the two following conditions:

1. The deed information on the owner's signature block is completed.
2. The notary seal is provided.

Motion: Commissioner Boles made a motion to approve the final plat with the two conditions noted. Commissioner Austin seconded the motion.

Vote: Ayes: David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Peter Drapes. Noes: None; Abstain: None; Absent: Al Kosik and Betty Weeks. The motion carried unanimously.

6.E. Consider the CPG Partners Commercial Tract, Section 4, Final Plat, application # 2005-024-FP.

Ms. Hayes presented staff's analysis noting staff's recommendation of approval with the two following conditions:

1. The deed information on the owner's signature block is completed.
2. The notary seal is provided.

Motion: Commissioner Pavliska made a motion to approve the final plat with the two conditions noted. Commissioner Boles seconded the motion.

Vote: Ayes: David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Peter Drapes. Noes: None; Abstain: None; Absent: Al Kosik and Betty Weeks. The motion carried unanimously.

6.F. Consider the CPG Partners Commercial Tract, Section 5, Final Plat, application # 2005-025-FP.

Ms. Hayes presented staff's analysis noting staff's recommendation of approval with the two following conditions:

1. The deed information on the owner's signature block is completed.
3. The notary seal is provided.

Motion: Commissioner Boles made a motion to approve the final plat with the two conditions noted. Commissioner Thibodaux seconded the motion.

Vote: Ayes: David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Peter Drapes. Noes: None; Abstain: None; Absent: Al Kosik and Betty Weeks. The motion carried unanimously.

6.G. Consider the CPG Partners Commercial Tract, Section 6, Final Plat, application # 2005-026-FP.

Ms. Hayes presented staff's analysis noting staff's recommendation of approval with the two following conditions:

1. The deed information on the owner's signature block is completed.
2. The notary seal is provided.

Motion: Commissioner Pavliska made a motion to approve the final plat with the two conditions noted. Commissioner Austin seconded the motion.

Vote: Ayes: David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Peter Drapes. Noes: None; Abstain: None; Absent: Al Kosik and Betty Weeks. The motion carried unanimously.

7. ZONING AND PLATTING: PUBLIC HEARING/DISPOSITION

7.A. Consider public testimony regarding the application filed by Tom E. Nelson Jr., to amend a portion of PUD 23 (Planned Unit Development) District, consisting of 54.05 acres, more or less, out of the Ephraim Evans Survey, Abstract # 212, in Williamson County, Texas, application # 2005-010-Z.

Mr. Burke presented staff's analysis to the Commissioners noting staff's recommendation of approval.

Mr. Blake McGee was present and said he was currently developing the Mayfield Ranch residential subdivision and has a contract to purchase 54.05 acres of land from Mr. Nelson. He said his company has been working on the Mayfield Ranch subdivision since approximately 2001 and the acquisition of this piece of property will make the subdivision complete. He referenced the bound document that was included in the Commissioner's packets and said it illustrated the concept plan and the community design features.

Vice-Chairman Drapes opened the public hearing and asked if there was anyone present that wanted to provide testimony for the public hearing. Seeing no one, he closed the public hearing.

7.B. Consider a recommendation to amend a portion of PUD 23 (Planned Unit Development) District, application # 2005-010-Z.

Commissioner Pavliska asked if there was a need for additional access to FM 1431. Mr. Stendebach said access to FM1431 has been severely limited. Ms. Girard said a TIA was done in conjunction with the rezoning which indicated at some time in the future a traffic signal would be warranted at FM1431 and Mayfield Ranch Boulevard. She noted that the developer will be required to pay his pro-rata share for the traffic signal. Vice-Chairman Drapes asked if the PUD document stated that there would be three access points. Ms. Girard said that was correct. Vice-Chairman Drapes asked if there was an estimate on the timeline for the signalization. Ms. Girard said it would be based on how fast the homes would be built in the subdivision. Commissioner Pavliska asked if there would be a separate turn lane for westbound traffic. Ms. Girard said the TIA for the rezoning would address all of those types of items.

Commissioner Boles referenced the 3.61 acres designated for single-family and asked if it was going to be a cul-de-sac. Mr. McGee agreed and said there would be 13 lots. Commissioner Boles said he could tell that the applicant has worked hard with staff to produce the end result that is being presented to the Planning Commissioners. Commissioner Boles said he felt the highest and best use of the land had been represented. Commissioner Pavliska said he appreciated the color illustration in the bound document that was presented to the Commissioners.

Motion: Commissioner Boles made a motion to recommend approval of the rezoning as presented. Commissioner Arnold seconded the motion.

Vote: Ayes: David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Peter Drapes. Noes: None; Abstain: None; Absent: Al Kosik and Betty Weeks. The motion carried unanimously.

7.C. Consider public testimony regarding the application filed by Tom E. Nelson, Jr., for the Mayfield Ranch Enclave Concept Plan, application # 2005-002-CP.

Ms. Hayes presented staff's analysis to the Commissioners noting staff's recommendation of approval.

Vice-Chairman Drapes opened the public hearing and asked if there was anyone present that wanted to provide testimony for the public hearing. Seeing no one, he closed the public hearing.

7.D. Consider a recommendation to approve the Mayfield Ranch Enclave Concept Plan, application # 2005-002-CP.

Commissioner Arnold noted that she appreciated the additional information that was provided by both staff and the applicant regarding the application.

Motion: Commissioner Boles made a motion to approve the concept plan as presented. Commissioner Pavliska seconded the motion.

Vote: Ayes: David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Peter Drapes. Noes: None; Abstain: None; Absent: Al Kosik and Betty Weeks. The motion carried unanimously.

7.E. Consider public testimony regarding the application filed by the City of Round Rock, Texas, concerning proposed revisions to Chapter 11, Zoning, Code of Ordinances, (1995 Edition), to include revised provisions concerning the geographical placement and design standards pertaining to wireless transmission facilities within the City of Round Rock.

Mr. Burke presented an outline of changes that staff is proposing to the City's Wireless Transmission Facilities (WTF) regulations. Staff is changing the existing regulations because growing cell phone use requires greater coverage than is permitted under the current regulations. The existing regulations do not provide enough detail to adequately address all of the issues involved in locating wireless transmission facilities.

In addition to the changes to the WTF regulations, the City Attorney has recommended that the regulations be moved from Chapter 11 of the Code of Ordinances (Zoning) to Chapter 4 (Business Regulations). Since the new regulations will be under Business Regulations rather than Zoning, the Planning & Zoning Commission will not have purview over them. Therefore, the Planning & Zoning Commission's vote will not technically be about the specifics of the proposed ordinance, but rather it will be a recommendation regarding a proposed amendment to the Zoning Ordinance that will repeal the provisions for WTFs from Chapter 11 and modify the "Permitted Uses" tables of affected zoning districts. Although the changes the Commission will be addressing do not involve the specifics of the new regulations, it is still important for the Commission to understand the provisions of the ordinance in order to make an informed recommendation regarding the changes to Chapter 11.

Mr. Vincent Huebinger with Verizon Wireless was present at the meeting. Mr. Huebinger said he had been working with staff for over a year on the wireless transmission facilities. He wanted to explain some of the issues that they were dealing with regarding the modification of this ordinance. The larger the user base is, drives the need for placement of more useful towers. He noted they are having difficulty in trying to find sites that are closer to residential neighborhoods. Calls are being dropped because the phones cannot locate a tower. Mr. Huebinger said staff has done a good job coming up with the language for the ordinance, but there are still a few problem areas.

Mr. Huebinger said there are a lot of objectives to overcome to place a tower in an appropriate location that has been designated by the search rings. The first obstacle is the proper zoning and then there has to be a willing landlord, environmental setbacks and the proper amount of acreage. The first thing the carrier will look for in the selected search ring is to find an existing tower to co-locate on or an existing vertical opportunity. In Round Rock there are very few big buildings and there are not a lot of existing towers. He said it was mostly raw land sites in Round Rock.

Mr. Huebinger introduced Mr. Brock Bailey, the Attorney representing Verizon Wireless, to discuss the various issues regarding the language in the ordinance. In his opinion, the ordinance being reviewed is vastly different and improved over what was initially proposed. He believed the proposed ordinance to be fair, but he did want to take a few moments to point out a few items.

Mr. Bailey referenced the "Permitted Locations" part of the ordinance and said they were now allowed to locate in C-1, BP, or PF-3, as long as they are located on a tract of land that is 10-acres or larger. The proposed ordinance allows them to aggregate adjoining C-1, BP or PF-3 tracts of land, but it is still a very large space before you can locate in a C-1 District, which would be a potential problem. He mentioned the height of the stealth and said as the ordinance is currently drafted, they are allowed to construct the concept of stealth WTF as long as it does not exceed the allowable height of the structure it is designed to mimic by more than 10', which will not give them much coverage. Understanding that the structure needs to look like the structure they are mimicking, they still need some give with respect to how tall the structures can be. If a clock tower or a steeple on a church can be up to 45', let them build one that is 55' tall so they can get some

coverage generated from the structure. It would still look like a steeple, but they have to have a certain height to propagate the radio frequency coverage area. He suggested that the new ordinance give them a plus 20' or 30' over what is otherwise allowed in the district for that type of structure instead of the proposed 10'.

Mr. Bailey said his last comment to the ordinance as drafted is the definition of "stealth". Currently the definition is that the structure has to be indistinguishable from the natural structure this it is supposed to mimic and that could be interpreted as an impossible standard. Regardless of how the stealth structure is built, it will not be indistinguishable. If you want an Austin Stone steeple or an Austin Stone chimney, you need to keep in mind that radio frequencies do not pass through Austin Stone. Materials can be designed that look like Austin Stone and then the radio frequency will go through it, but it will not be indistinguishable. He would prefer using language such as "a structure that reasonably approximates the structure it is mimicking" or something similar to that instead of using the word indistinguishable.

Vice-Chairman Drapes asked if there was anyone else that wanted to provide testimony for the public hearing. Seeing no one, he closed the public hearing and moved on to Item 7.F.

7.F. Consider a recommendation to approve proposed revisions to Chapter 11, Zoning, Code of Ordinances, (1995 Edition), to include revised provisions concerning the geographical placement and design standards pertaining to wireless transmission facilities within the City of Round Rock.

Commissioner Boles said he was not familiar with what a 45' versus an 80'-85' pole would do for them. He suggested that an explanation of the difference would be helpful to the Commissioners. Mr. Bailey said the general rule in the industry is the taller the structure is the better it performs. He noted that Mr. Burke has tried to address that issue by getting them up to a height that will propagate. Another portion of the ordinance requires that they build the structures to accommodate two other carriers. He noted that the carriers cannot all piggy back on one another at 80'. If there is a carrier at the 80' level, and that is how tall the structure is, the next level to collate would be at 70' and below that point would not have the coverage that is needed and would hardly justify the building of the site. He said this issue was very important to the City of Round Rock because of the

undulating hills which severely limit how far radio frequency can propagate. As a general rule radio frequency will not propagate beyond a building, a tall hill, or if it is in a depression it will not beam over a hill. Commissioner Boles said he understood the higher the better, but obviously it was not something that staff is comfortable with.

Commissioner Boles said another area of concern for Mr. Bailey had to do with building materials and suggested adding some language into the ordinance that would, by definition, accept the material that looked like the Austin stone. Commissioner Quick said he thought the setback from public right-of-way was 100' and asked if something were indistinguishable at that distance would that be satisfactory. Mr. Bailey said he thought that would work, but reminded the Commissioners that a flag pole specifically for just a flag would be much smaller than a flag pole with a wireless communication antenna in it, let alone two additional carriers. He asked the Commissioners to understand when the carrier says indistinguishable; it means that the flag pole would need to be a 28" diameter pole instead of a 10" diameter pole, which is larger than your normal flag pole.

Vice-Chairman Drapes asked Mr. Crossfield to clarify what the Commissioners are being asked to address this evening. Mr. Crossfield said the Commissioners will not be voting on the technicalities of the ordinance because that will be taken care of by the City Council. The Commissioners are being asked to repeal the old ordinance, by removing it from the zoning ordinance, and place it in the Chapter 4, Business Regulations section of the code. He noted that most of the information in front of the Commissioners this evening does not deal with the zoning, but rather the regulations for the business. He said a lot of the discussion that has taken place might be helpful, but ultimately it will be up to the City Council.

Vice-Chairman Drapes asked what would prevent the Commissioners from recommending that only stealth be allowed in the city. Mr. Burke said with the current proposed ordinance, stealth would be allowed in all non-residential districts, multi-family and non-residential uses or lots within residential districts. Commissioner Arnold said she believed that Vice-Chairman Drapes meant only stealth throughout the city. Mr. Burke said staff likes the idea of utilizing the high-tension power lines as a way to get into residential neighborhoods because the lines are already in place and people are aware of

them. Staff did not think that it would be offensive to put an antenna on top of a school or an apartment building because the height probably would not be noticed. Vice-Chairman Drapes said he would agree that on top of a school, on the side or top of an apartment building would be great places for the antennas, but it would also be a great place for a stealth structure. He suggested that the stealth technology wording "indistinguishable" needed to be addressed for those areas. Mr. Burke said he agreed it was a great place for a stealth structure and there is a prioritization in the proposed ordinance. When someone approaches staff and wants to put a self enclosed monopole on an amenity center, staff will question whether or not they can attach something to an existing monopole. If that does not work, the applicant will be asked if they are interested in looking at stealth. There is a list of priorities and stealth is right up there at the top of the list. Staff did not go as far as to say an applicant cannot have an attached or something enclosed just stealth, but staff will want them to justify why those options were bypassed and went to the exposed antenna. Staff likes the idea of stealth, but he did not know from a practical standpoint that the objective of the ordinance will be achieved by getting greater penetration into the residential neighborhoods if they limit it to just stealth.

Commissioner Boles noted that a lot of information had been presented to the Commissioners by staff, but yet there really is not a lot that the Commissioners can comment on because the City Council will have the final say once it is put into Chapter 4. Mr. Burke said most of the regulations are going to go to Chapter 4, but in each of the zoning districts there is a table called "Permitted Uses" which the WTF information is included. The tables have been modified and the Commissioners are making a recommendation to the City Council regarding the tables. He said he did not think it was fair to have the Commissioners make a recommendation without an explanation or rationale behind the request. He said he realized he had opened a can of worms, but at the same time he felt it was important to hear the Commissioners feedback. He felt the discussion had been very productive and useful for staff.

Commissioner Arnold said the main issue she had was whether or not if these should be allowed in residential districts. She asked if it was absolutely necessary for them to be in the residential districts. Mr. Bailey said it was because so many individuals use their

cell phones in their neighborhoods and many of the neighborhoods do not have a good signal. The only way to cover remote neighborhoods is to get inside of them. He suggested that all stealth in residential areas might not be a bad idea, but there are a lot of other opportunities that exist that could be wasted such as high tension lines that run right through the middle of neighborhoods. He noted the high tension lines are 100' feet tall or taller and the antennas fit nicely right on top of them. He said the antennas are not noticed because they have been placed on towers that have been in place for 30 years. Vice-Chairman Drapes said he fully supported that idea. Mr. Bailey said it is very important that the design fits in with its environment as opposed to: is it indistinguishable from what it is supposed to be? Stealth needs to blend in with its environment in mimicking what it is supposed to be and that is what he would like to see as a definition. He said he understood the rationale behind indistinguishable, but he was concerned that a new staff might not understand that specific term. Mr. Stendebach said he thought the word "indistinguishable" could be modified prior to the information going to the City Council. He suggested it could be changed to "visually indistinguishable from a distance of 100 ft." which is as close as the structure can be to the road.

Ms. Alyce Kriekle, representing T-Mobile, was also present at the meeting. In response to Commissioner Arnolds' and Vice-Chairman Drapes' comments regarding everything being stealth, she said that would be a great idea but in Round Rock the maximum building height in 40'-50' tall, and that will not get them to the height that they need. She said all of the poles that T-Mobile has built in the adjoining communities are a minimum of 75' tall and below that height the reception of the signal decreases. She also noted that with a limitation to the height of 75'; this would also create a problem with co-location because no one would want to be any lower in height. She said it would be very difficult if everything had to be stealth because they could not obtain their needed height. She thought the direction of going into the C-1 areas with the enclosed pole would really do a lot for Round Rock and the various companies.

Mr. Stendebach asked Commissioner Arnold if she was only concerned with stealth in the residential districts, or in all of the districts. Commissioner Arnold said only in residential districts. Vice-Chairman Drapes said his concern was with stealth everywhere

and not just in residential, but he includes the monopole as stealth in his definition. Mr. Stendebach said staff distinguishes that because it has a single purpose. Staff feels that the self-enclosed monopole is aesthetically acceptable in most commercial districts. Mr. Burke said part of the issue of doing stealth, only in residential is how to get the height that is necessary to be utilized, without the structure looking out of place. He said it might be more aesthetically pleasing just to go with the 36" wide self-enclosed monopole rather than trying to come up with some kind of 80' disguised antenna that could stand out more than a straight pole. Commissioner Arnold said she could not imagine an amenity center, school or fire station that would not welcome a stealth structure that is a flag pole. Commissioner Pavliska noted that there were certain areas within the City that a 65' pole would do more than a 100' pole because of the current land height. Ms. Kriekle said it is not just a matter of coverage it is a matter of capacity.

Commissioner Boles said he thought the goal of the public hearing is to allow the cell providers to give more service to the residential neighborhoods. In order to do that, the City will have to give a little bit and allow stealth, antennas attached on top of buildings and enclosed monopoles. Commissioner Austin asked how tall a monopole could be in residential. Mr. Burke said if it was located on a non-residential site it could be a maximum height of 80'. He said that staff has tried to get a good balance on setbacks and locations to allow some penetration, but there will still probably be dead spots. Commissioner Arnold asked if it would help to have some language that would address the issue where there could be a subdivision where all possible scenarios under the ordinance have been explored and are not possible. Mr. Burke said that would have to be looked at on a case by case basis. Commissioner Boles said there would be a case by case examination because the applications would have to be reviewed by the Zoning Board of Adjustments. Commissioner Arnold said she thought just the opposite. She suggested said the City should open it up to C-1, C-2, BP, multi-family and then see how it goes. Then, if there is really a need to add residential, staff can come back with an amendment. Mr. Burke said that was where staff was a few months ago and at that point in the discussion staff was convinced that it would not really be enough for the coverage that was needed and it was almost guaranteed that staff would have to amend the ordinance. Commissioner Arnold said she thought by offering the additional districts it would allow

the placement of the towers without encroachment into the residential neighborhoods. She wanted to completely disallow the use in single-family. Vice-Chairman Drapes asked how Commissioner Arnold felt about adding something like a flag pole to a school, church or fire station within the residential neighborhood. Commissioner Arnold said she was okay with that, but she did not know if it could be that restrictive just to allow it in those types of situations. She thought it would either be allowed or not allowed in a district. Mr. Bailey said the only issue he had with not allowing it in residential beyond perhaps a flag pole would be in the situation where there is a specific situation where they are trying to co-locate on an existing LCRA power line. Commissioner Boles asked Mr. Bailey how many more sites he anticipated the city would need to have better signals and less dropped calls. Mr. Bailey said they were looking for 4 sites when they initiated conversations with the City in 2004. He noted that it will help in the future with all of the cellular companies that are merging together because there will be fewer towers needed, but that is not the situation now.

Vice-Chairman Drapes asked Commissioner Arnold if residential was pulled out, would she be willing to allow a flagpole structure at a school, church, fire station or an antenna on top of a power line if there was no other option for coverage in that area. Commissioner Arnold said she did not have a problem with that, but she did not want to see a self-enclosed pole in an amenity park in the middle of Mayfield Ranch. Mr. Burke said there was a minimum separation distance in the ordinance that states if it is within 200' of residential it would not be permitted. Commissioner Pavliska said he agreed with the placement suggestions made by Commissioner Arnold. Commissioner Arnold said she did not understand why the industry would object to limiting the uses in the neighborhood to the four items that have previously been discussed, and then if they find that is unworkable, let them come back before the Commission and City Council. She did not think that there should be such a broad tool to work with, it should be more restrictive. Mr. Burke asked Commissioner Arnold if she was saying the only pole she would be comfortable with would be a flagpole. Commissioner Arnold said yes and she considered that to be stealth. Mr. Crossfield said stealth would be something that is made of material that looks like a church steeple or something like that, versus the monopole which is going to be larger at the bottom and tapers up resembling a flagpole and could provide the

function of a flagpole. Mr. Burke said he was hesitant to call the “flagpole” structure stealth because then whenever a monopole was put up it would be required to have a flag on it. He said the ordinance could be adjusted to say that, but he was hesitant to call it stealth. Commissioner Arnold said she would defer to Mr. Burke’s judgment on what it should be called.

Commissioner Austin referenced the size of the lot located in retail as being 10-acres. He asked if it would help find more areas in retail, which would mitigate the issue of height in residential, if the acreage was reduced to 5-acres. Commissioner Boles suggested that could mean the convenience store in front of the subdivision could have an 80’ monopole on their lot. Commissioner Austin said he did not know of a lot of residential type convenience stores that had 5-acre tracts. Mr. Burke explained that the size of the commercial site of 10-acres is to make the pole less obvious. The bigger the shopping center, the less a big pole would stand out. Commissioner Pavliska noted that there were several church sites that could be looked at for a location on a steeple or a flagpole. Vice-Chairman Drapes said the only comment he wanted to make regarding mounted antennas (flush-mount) on buildings is that the antennas not be exposed. Mr. Burke said there were provisions in Chapter 4 specific to that issue.

Motion: Commissioner Arnold made a motion to approve the revisions to Chapter 11, Zoning, Code of Ordinances, (1995 Edition), to allow WTF’s in the districts outlined with the condition that within SF-2 District WTF’s shall only be allowed at schools, fire stations, churches and on top of existing transmission lines. Commissioner Quick seconded the motion.

Vote: Ayes: David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux and Peter Drapes. Noes: Commissioner Austin; Abstain: None; Absent: Al Kosik and Betty Weeks. The motion carried.

8. PLANNER REPORT AND COMMISSION COMMENTS

Mr. Stendebach noted that staff was still looking for an off-site retreat location. He said he would keep the Commissioners informed. Commissioner Boles said he wanted to discuss a mid-size lot size between SF-1 and SF-2 Districts. Mr. Stendebach suggested that the current range of housing districts be reviewed.

9. ADJOURN

Hearing no further discussion, Vice-Chairman Drapes adjourned the meeting at 9:14 p.m.

Sincerely yours,

Dianna Hutchens
Administrative Technician III